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PTO/SB/21 (09-04)

<b>TRANSMITTAL FORM</b>  <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/773,761	
	Filing Date	February 6, 2004	
	First Named Inventor	Erlander, Mark G.	
	Art Unit	1634	
	Examiner Name	Unknown	
Total Number of Pages in This Submission	111	Attorney Docket Number	022041-001420US

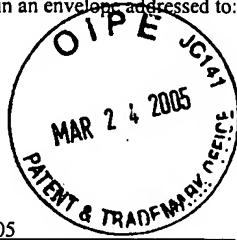
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO/SB/08B, 11 references, return postcard
		Remarks: The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Townsend and Townsend and Crew LLP	
Signature		
Printed name	Kawai Lau	
Date	March 21, 2005	Reg. No. 44,461

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Timothy S. Parker	Date	March 21, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

PATENT  
Attorney Docket No.: 022041-001420US

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Alexandria, VA 22313-1450



On March 21, 2005

TOWNSEND and TOWNSEND and CREW LLP

By: Jeffrey J. Parker

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Mark G. Erlander, et al.

Application No.: 10/773,761

Filed: February 6, 2004

For: PREDICTING BREAST CANCER  
TREATMENT OUTCOME

Examiner: Unassigned

Art Unit: 1634

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.


As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

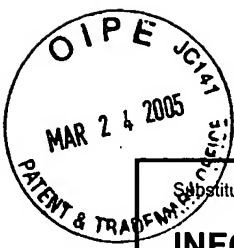
Applicant believes that no fee is required for submission of this statement because this submission is before the mailing of a first Office Action on the merits.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

  
Kawai Lau  
Reg. No. 44,461

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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/773,761
				Filing Date	February 6, 2004
				First Named Inventor	Erlander, Mark G.
				Art Unit	1634
				Examiner Name	Unassigned
Sheet	1	of	1	Attorney Docket Number	022041-001420US

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>	
	BC	Clarke, R. et al. "Antiestrogen resistance in breast cancer and the role of estrogen receptor signaling", <i>Oncogene</i> 22 (2003) 22:7316-39		
	BD	Jordan, C. "Historical perspective on hormonal therapy of advanced breast cancer", <i>Clin. Ther.</i> (2002) 24 Suppl. A: A3-16		
	BE	Osborne, C.K., et al. "Growth factor receptor cross-talk with estrogen receptor as a mechanism for tamoxifen resistance in breast cancer", <i>The Breast</i> (2003) 12:362-7		
	BF	Ellis, M.J. et al. "Letrozole is more effective neoadjuvant endocrine therapy than tamoxifen for ErbB-1- and/or ERB-2-positive, estrogen receptor-positive primary breast cancer: evidence from a phase III randomized trial.", <i>J. Clin Oncol</i> (2001) 19(18):3808-16		
	BG	Buzdar, A.U., "Anastrozole: a new addition to the armamentarium against advanced breast cancer.", <i>Am. J. Clin Oncol</i> (1998) 21(2), 161-6		
	BH	Fabian, et al., "Short-Term Breast Cancer Prediction by Random Periareolar Fine-Needle Aspiration Cytology and the Gail Risk Model", <i>J. Natl Cancer Inst.</i> (2000) 92(15):1217-27		
	BI	Tan-Chiu et al., "Effects of Tamoxifen on Benign Breast Disease in Women at High Risk for Breast Cancer", <i>J. Natl Cancer Inst.</i> (2003) 95(4):302-307		
	BJ	Wickerham, D.L., "Tamoxifen, - an update on current data and where it can now be used", <i>Breast Cancer Res. and Treatment</i> , (2000) 75 Suppl 1:S7-12, Discussion S33-5		
	BK	Fitzgibbons, P.L. et al. "Prognostic factors in breast cancer. College of American Pathologists Consensus Statement 1999", <i>Arch Pathol Lab Med</i> (2000) 124:966-78		
	BL	Ma, X.J. et al., "Gene expression profiles of human breast cancer progression", <i>Proc Natl Acad Sci USA</i> (2003) 100(10):5974-9		
	BM	Nicholson, R.I. et al., "Epidermal growth factor receptor expression in breast cancer: association with response to endocrine therapy", <i>Breast Cancer Res Treat</i> (1994) 29:117-25		

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.